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24 September 2004

Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington D.C. 20554

Re: WCB Docket Nos. 01-338, 96-98, 98-147, 04-313

Dear Ms. Dortch:

On September 23, 2004, the undersigned, together with John Windhausen, Jr., on behalf of the Association for Local Telecommunications Services (ALTS), met with Commissioner Jonathan Adelstein and Scott Bergmann, Legal Advisor, in reference to the dockets listed above. ALTS specifically addressed its opposition to BellSouth's request to extend the fiber to the home relief granted to the Bells to include fiber to the curb loops. ALTS argued that the Commission should not address BellSouth's petition in a vacuum, given that the FCC intends to adopt new loop unbundling rules by the end of this year. Rather, the Commission should fold BellSouth's request into the pending Triennial Review remand proceeding and address this request for modification of the loop unbundling regime together with all other loop unbundling issues. In addition, ALTS cautioned that BellSouth was attempting to expand its request for relief beyond the original greenfield relief granted by the FCC, in an effort to exempt existing loop plant from unbundling obligations. Such a request, if granted, would be flatly inconsistent with the Commission's stated goal of promoting facilities-based competition by ensuring the availability of DS-1 loops. Finally, ALTS argued that the Commission should avoid the slippery slope of granting relief based on part-fiber loops to the Bells, because such relief cannot be policed, and it destroys any incentive the Bells have to deploy new, fiber to the home loops, which is the Commission's ostensible policy goal.

Respectfully submitted,

/s / Jason Oxman

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